

Historic, Archive Document

Do not assume content reflects current
scientific knowledge, policies, or practices.

UNITED STATES
DEPARTMENT OF AGRICULTURE
LIBRARY



BOOK NUMBER A30.5
911.55 R31

PROPOSED RULE MAKING

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL RESEARCH SERVICE

(9 CFR Part 78)

BRUCELLOSIS IN DOMESTIC ANIMALS
INTERSTATE MOVEMENT OF ANIMALS

On April 8, 1954, there was published in the Federal Register (19 F. R. 2020), a notice with respect to proposed amendments of Subchapter C; Chapter I, Title 9, Code of Federal Regulations. After consideration of all data, views, and arguments submitted in connection with the proposed amendments, it has been determined that certain modifications should be made therein. Notice is hereby given in accordance with section 4 of the Administrative Procedure Act (5 U.S.C. 1003) that pursuant to the provisions of sections 6, 7, and 13 of the Act of May 29, 1884, as amended (21 U.S.C. 114a-1, 115, 117), sections 1 and 2 of the Act of February 2, 1903, as amended (21 U.S.C. 111-113, 120), and section 3 of the Act of March 3, 1905, as amended (21 U.S.C. 125), it is now proposed that the following regulations be issued in lieu of the provisions of paragraph (h) of § 78.1 and Subpart C as set forth in the notice published on April 8, 1954:

§ 78.1 Definitions. As used in this part, the following terms shall have the meanings set forth in this section except as otherwise clearly indicated.

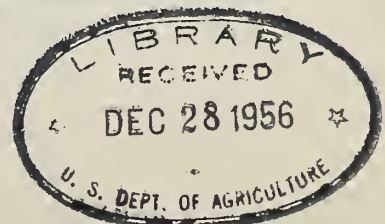
* * * * *

(h) Official Vaccinate. A bovine animal vaccinated against brucellosis from 4 through 8 months of age, or a bovine animal of a beef breed in a range or semi-range area, vaccinated against brucellosis from 4 to 12 months of age, under the supervision of a Federal or State veterinary official, with a vaccine approved by the Animal Disease Eradication Branch, Agricultural Research Service, United States Department of Agriculture; permanently identified as such a vaccinate; and reported at the time of vaccination to the appropriate State and Federal Agency cooperating in the eradication of brucellosis.

* * * * *

SUBPART C - RESTRICTIONS ON MOVEMENT OF
CATTLE BECAUSE OF BRUCELLOSIS

§ 78.10 General Restriction. Cattle may not be moved interstate except as provided in the regulations in this subpart.



^s 78.11 Designation of modified certified brucellosis-free areas.*

The following States, counties, and municipalities, are hereby designated as modified certified brucellosis-free areas:

- (a) The State of Maine;
- (b) The State of New Hampshire;
- (c) The State of North Carolina;
- (d) Cherokee, Douglas, Gilmer, Gwinnett, Murray, Paulding, and Pickens Counties, in Georgia;
- (e) Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, and Shoshone Counties, in Idaho;
- (f) Crawford County, in Indiana;
- (g) Garrett, Somerset, Wicomico, and Worcester Counties in Maryland;
- (h) Alger; Antrim, Arenac, Baraga, Benzie, Charlevoix, Cheboygan, Chippewa, Delta, Dickinson, Emmet, Gogebic, Grand Traverse, Houghton, Iron, Kalkaska, Keweenaw, Leelanau, Luce Mackinac, Marquette, Menominee, Ogemaw, Ontonagon, Otsego, Presque Isle, Schoolcraft, and Wexford Counties, in Michigan;
- (i) Aitkin, Becker, Beltrami, Big Stone, Blue Earth, Brown, Carlton, Cass, Chippewa, Clay, Clearwater, Cook, Cottonwood, Hubbard, Itasca, Kittson, Koochiching, Lake, Lake of the Woods, Mahnomen, Marshall, Norman, Pennington, Polk, Pope, Red Lake, Redwood, Renville, Rosseau, St. Louis, Stevens, Traverse, Wasena, Wilkin, Wright, and Yellow Medicine Counties, in Minnesota;
- (j) Beaverhead, Carbon, Cascade, Daniels, Lake, Mineral, Missoula, and Sheridan Counties, in Montana;
- (k) Hillmore and York Counties in Nebraska;
- (l) Cape May County, in New Jersey;
- (m) Benson, Burke, Cavalier, Divide, Eddy, Grand Forks, Griggs, Mercer, Morton, Montrail, Nelson, Oliver, Pembina, Pierce, Ramsey, Renville, Rolette, Trail, Walsh, Ward, Wells, and Williams Counties, in North Dakota;
- (n) Clatsop, Coos, Curry, and Josephine Counties, in Oregon.
- (o) Allegheny, Armstrong, Blair, Butler, Cameron, Carbon, Clarion, Clearfield, Clinton, Columbia, Dauphin, Elk, Forest, Greene, Huntingdon, Indiana, Juniata, Jefferson, Lawrence, Luzerne, Lycoming, McKean, Schuylkill, Somerset, Sullivan, Venango, Washington, and Wyoming Counties, in Pennsylvania;
- (p) Allendale, Bamberg, Barnwell, Cherokee, Chester, Marlboro, Union, and York Counties, in South Carolina;
- (q) Benton, Chelan, Clark, Columbia, Cowletz, Douglas, Franklin, Island, Kitsap, Garfield, Grant, Grays Harbor, Lewis, Lincoln, Pacific, Pend Oreille, San Juan, Skamania, Spokane, Stevens, and Wahkiakum Counties, in Washington.
- (r) Barbour, Cabell, Doddridge, Fayette, Grant, Greenbrier, Harrison, Marshall, Mineral, Ohio, Raleigh, Roane, Upshur, and Wetzel Counties, in West Virginia;
- (s) Vilas County, in Wisconsin, and

(t) Adjuntas, Aguadilla, Aguada, Aguas, Buenas, Anasco, Arroyo, Barceloneta, Camuy, Ciales, Cidra, Corozal, Guanico, Guayanilla, Hatillo, Isabela, Jayuya, Lares, Las Marias, Manati, Maricao, Maunabo, Moca, Morovia, Orocovi, Patillas, Penuelas, Quebradillas, Rincon, Rio Grande, San German, Sabana Grande, San Juan, Santa Isabel, Trujillo Alto, Utuado, Vega Alta, Vega Baja, Villalba, and Vauco Municipalities, in Puerto Rico.

§ 78.12 Movement of brucellosis reactor cattle. Cattle which have reacted to a test recognized by the Secretary of Agriculture for brucellosis may be moved interstate in accordance with the regulations in Subpart B of this part.

§ 78.13 Movement of other cattle. 1/

(a) Steers and spayed heifers and calves under 8 months of age, not known to be affected with brucellosis, may be moved interstate without restriction under this subpart.

(b) Cattle of the following classes, not known to be affected with brucellosis, may be moved interstate without other restriction under this subpart, if accompanied by a certificate issued by a Federal or State inspector or an accredited veterinarian showing the identification tag, tattoo, or registration number of each animal and showing the specific class in which the cattle fall:

- (1) Cattle originating in certified brucellosis-free herds;
- (2) Cattle originating in the modified certified brucellosis-free areas specified in § 78.11;
- (3) Cattle which are official vaccinates under 30 months of age at the time of interstate movement;
- (4) Cattle from herds, under Federal-State supervision for the control of brucellosis, in which all animals over eight months of age, except official vaccinates under thirty months of age have been subjected to a blood agglutination test, recognized by the Secretary of Agriculture for brucellosis, under the supervision of a Federal or State veterinary official, within 90 days prior to the date of movement interstate and found negative; the individual animals to be moved interstate having been subjected to another such test at least 30 days from the date of the previous herd test and within 30 days prior to the date of movement interstate and found negative;

1/ In each instance, the regulations of the State of destination should be consulted before interstate shipments are made.

- (5) Cattle which are official vaccinates over 30 months of age at the time of movement interstate; which have been subjected to a test, recognized by the Secretary of Agriculture for brucellosis under the supervision of a Federal or State veterinary official, after 30 months of age and found not to disclose a reaction exceeding incomplete agglutination in a dilution of 1:100; and which are moved interstate under a permit from the State of destination to be maintained in quarantine in such State until they are negative to another such test or until their death by slaughter or from natural causes;
- (6) Bulls and female cattle of the beef type moved interstate for feeding or grazing purposes only, to a State which has laws, rules, or regulations, which provide for the segregation or quarantine of such cattle brought into the State, and under a permit from such State of destination; and
- (7) Cattle which have been subjected to a blood agglutination test, recognized by the Secretary of Agriculture for brucellosis, under the supervision of a Federal or State veterinary official, within 30 days prior to the date of movement interstate and found negative, and which are moved interstate under a permit from the State of destination to be maintained in quarantine in such State separate from other cattle until they are negative to another such test administered not less than 30 days after the date of the interstate movement or until their death by slaughter or from natural causes.

(c) Cattle of the following classes, not known to be affected with brucellosis, may be moved interstate under this subpart, except into the modified certified brucellosis-free areas specified in § 78.11, if accompanied by a certificate issued by a Federal or State inspector or an accredited veterinarian showing the identification tag number, tattoo, or registration number of each animal and showing the specific class in which the cattle fall:

- (1) Cattle which have been subjected to a test, recognized by the Secretary of Agriculture for brucellosis, under the supervision of a Federal or State veterinary official within 30 days prior to the date of movement interstate and found negative;
- (2) Cattle which are official vaccinates over 30 months of age at the time of movement interstate; which have been subjected to a test, recognized by the Secretary of Agriculture for brucellosis, under the supervision of a Federal or State veterinary official, within 30 days prior to the interstate movement and found not to disclose

a reaction exceeding incomplete agglutination in a dilution of 1:100; and

- (3) Bulls and female cattle of the beef type moved interstate, for feeding or grazing purposes only, to a State which has laws, rules, or regulations, which provide for the segregation or quarantine of such cattle brought into the State.

(d) Cattle, not known to be affected with brucellosis, may be moved interstate under this subpart for immediate slaughter direct to a slaughtering establishment operating under the provisions of the Meat Inspection Act of March 4, 1907 (34 Stat. 1260; 21 U.S.C. 71 et seq.), or to a slaughtering establishment operating under State meat inspection, or to a slaughtering establishment designated by the proper State livestock sanitary official of the State of destination with approval of the Branch, if accompanied by a waybill or similar document or a certificate signed by the owner or shipper of the cattle, stating: (1) The destination of the animals; (2) the purpose for which they are to be moved; (3) the number of animals covered by the waybill or similar document or certificate; (4) the point from which the animals are moved interstate; and (5) the address of such owner or shipper.

(e) Cattle, not known to be affected with brucellosis, may be moved interstate direct to a public stockyard without compliance with the foregoing provisions of this section, if accompanied by a waybill or similar document, or a certificate signed by the owner or shipper of the cattle stating: (1) The destination of the animals; (2) the purposes for which they are to be moved; (3) the number of animals covered by the waybill or similar document or certificate; (4) the point from which the animals are moved interstate; and (5) the address of such owner or shipper: Provided, however, That the movement of said cattle from such public stockyard to another destination must comply with the provisions of this part the same as if the cattle had been originally consigned direct from the point of origin to such destination.

(f) The Chief of the Animal Disease Eradication Branch, Agricultural Research Service, may authorize the movement not otherwise authorized by this section, of cattle, not known to have reacted to a test for brucellosis, under such conditions as he may prescribe to prevent the spread of brucellosis.

Any person who wishes to submit written data, views, or arguments concerning the foregoing proposed amendments may do so by filing them with the Chief, Animal Disease Eradication Branch, Agricultural Research Service, United States Department of Agriculture, Washington, D. C. within 30 days after publication hereof in the Federal Register.
Done at Washington, D. C., this 4th day of October 1955.

/s/ M. R. Clarkson
Acting Administrator,
Agricultural Research Service.

